

REMARKS

Claims 17-26, 30 and 31 are pending in this application.

I. Double Patenting

Claims 17, 18, 19, 25 and 30 are provisionally rejected on the ground of nonstatutory double patenting over claims 1, 4 and 7 of copending application No. 10/728,048. The assignee of the instant application is also the assignee of the cited reference application Serial No. 10/728,048. Thus, the instant application and the cited reference application are commonly owned.

In accordance with the examiner's suggestion, applicant has filed herewith a terminal disclaimer to obviate the provisional double patenting rejection. Since the assignee has signed the terminal disclaimer, a Statement under 37 C.F.R. 3.73(b) and supporting assignment documentation is enclosed.

In view of the foregoing, applicant submits that the provisional double patenting rejection of claims 17, 18, 19, 25 and 30 should be withdrawn.

II. Allowable Subject Matter

The office action states that claims 20-24, 26 and 31 are allowable but dependent on claims that were rejected, as above, for provisional double patenting. The claims, upon which claims 20-24, 26 and 31 depend, are now fully allowable in view of the filing of the terminal disclaimer. As a result, applicant submits that claims 20-24, 26 and 31 are now also allowable.

III. Conclusion

In view of the above, Applicants submit that pending claims 17-26, 30 and 31 are now in condition for allowance. Reconsideration of the Rejections are requested. Allowance of claims 17-26, 30 and 31 at an early date is solicited.

If an extension of time is required for timely submission of this response, Applicant hereby petitions for an appropriate extension of time and the Office is authorized to charge Deposit Account 02-0900 for the appropriate additional fees in connection with the filing of this response or credit any overpayment.

The Examiner is invited to telephone the undersigned should any questions arise.

Respectfully submitted,

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